

Tax returns

Internal Revenue Service (IRS) is conducting public hearings on how to improve income tax forms.

All hearings start April 28 at 10 a.m. Consumers are invited to attend the hearings as observers, and if there is any time remaining after scheduled speakers have been heard, persons in attendance may have an opportunity to speak. Addresses and telephone numbers follow:

Internal Revenue Service
Box 9112
John F. Kennedy Federal Bldg.
Boston, MA 02203
Telephone: 617-223-1145

Internal Revenue Service
Box 66
200 NW 4th St.
Oklahoma City, OK 73102
Telephone: 405-231-5091

Internal Revenue Service
Box 3341
1220 SW 3rd Ave.
Portland, OR 97208
Telephone: 503-221-3194

Details—*Federal Register*: March 28, page 16532; March 15, page 14189.
CONSUMER REGISTER April 1.

Energy costs

The extremely cold winter this year cost US consumers \$4.3 billion to \$7.8 billion in the form of extra-high heating bills, **Federal Energy Administration (FEA)** Chief John O'Leary announced at a Senate hearing recently.

An FEA report released at the hearing estimated that if the extreme cold had extended through the end of March, the extra fuel cost to consumers could have reached \$10.7 billion.

S-p-r-e-a-d-i-n-g the word

National Consumers League, **Office of Consumer Affairs (OCA)**, Consumers United Group, Inc., and George Washington University School of Government and Business Administration will sponsor a national public policy forum on life and health insurance services and consumer needs on May 2-4 in Washington, DC. For copies of the program and information on consumer registration, write or call Dr. James G. Barnes at George Washington University, Washington, DC 20052; telephone: 202-676-6857.

The New Federal Warranty Law: A Guide to Compliance has been reprinted from *The Business Lawyer*. Article includes a practical discussion of the warranty law covering written warranties on consumer products—from mobile homes to toys. Reprints are available free by writing to **CONSUMER NEWS**, Office of Consumer Affairs, Washington, DC 20201.

consumer news

DEPARTMENT OF HEALTH, EDUCATION & WELFARE
Office of Consumer Affairs

Vol. 7, No. 8, April 15, 1977

It's official

President Carter has announced the appointment of Esther Peterson as Special Assistant to the President for Consumer Affairs. Mrs. Peterson is currently vice president for consumer programs with Giant Food, Inc., in Washington, DC—a position she has held since 1970.

As Special Assistant to the President for Consumer Affairs, Mrs. Peterson will serve as a consumer spokesperson and advocate on the President's personal staff and advise the President on consumer-related matters.

Born in Provo, Utah in 1906, Mrs. Peterson received an A.B. degree from Brigham Young University in 1927 and an M.A. from Teachers College, Columbia University in 1930.

Mrs. Peterson has held posts under 2 previous Presidents, serving under President Kennedy as director of the **Women's Bureau** in the **Labor Dept.** in 1961, and later as an assistant secretary of Labor. Between 1961 and 1963, Mrs. Peterson served as executive vice chairman of the **President's Commission on the Status of Women**.

In 1964, President Johnson appointed Mrs. Peterson to the newly created post of Special Assistant to the President for Consumer Affairs. She also served as chairman of the **President's Committee on Consumer Interests (PCCI)**. She held these posts until 1967.

Mrs. Peterson is on the boards of directors of many consumer, educational and civic associations, including the Institute for Public Interest Representation at the Georgetown University Law Center, the Women's National Democratic Club, the Center for Science in the Public Interest, and the National Center for Resource Recovery.

President's consumer message

In a recent message to Congress, President Carter proposed several measures to give consumers a stronger voice in government, the first being "the creation of an **Agency for Consumer Advocacy (ACA)**, which will bring to fruition 8 years of bipartisan effort in the Congress."

The President described the agency as a "small effective group" which would be charged with the task of pleading the consumer's case within the government. He said the agency would not require major additions to the government's size or operations and "can be established by drawing together resources now scattered throughout the government." The President said the new agency would not be another rulemaking body. Rather, "its purpose is to improve the way rules, regulations, and decisions are made and carried out."

One key function the agency would have, he noted, is to "aid in the fight against inflation by monitoring governmental actions that unnecessarily raise costs for consumers."

President Carter also supported 3 other proposals which, he said, "Congress has been considering, and which I believe would complement the ACA." Specifically, the President cited:

(Continued page 2)

Recalls

• **CHILI PRODUCTS—Food and Drug Administration (FDA)** announces recall of 1400 cases of the following products manufactured by Mountain Pass Canning Co. of Anthony, TX: Whole Green Chilies with code numbers 25976 and 27276, 113 gram size (4 ounces) and packed under brand names Western Valley, Old El Paso and Mountain Pass; Whole Green Chilies with code numbers 23876 and 26776, 283 gram size (10 ounces) and packed under brand names Old El Paso and Mountain Pass; Chopped Green Chilies with code number 27176, 198 gram size (7 ounces) and packed under brand names Old El Paso and Mountain Pass; Chopped Green Chilies with code numbers 22576, 24776, 25776, 23576, 25376, 26676 and 26176, 113 gram size (4 ounces) and packed under brand names Western Valley, Old El Paso and Mountain Pass; and Chili Peppers Hot (Jalapeno) with code number 29276, 99 gram size (3½ ounces) and packed under brand names Old El Paso and Mountain Pass. Distribution was nationwide. Reason for recall: Acidity was not controlled in canning process which may pose a potential for bacterial growth.

• **TOMATO PASTE—Food and Drug Administration (FDA)** announces recall of Hunt's Tomato Paste (Hunt-Wesson Foods, Inc., Fullerton, CA) in 340 gram size (12 ounces) with the following codes: 05TA3/EAD5, 05TAN/EAD1 and 05T9T/EAD3. Distribution was nationwide, but firm estimates all cans have been removed from store shelves. Reason for recall: Bad can seams which can cause leakage.

• **PACEMAKERS—Food and Drug Administration (FDA)** has announced recall of 2 types of nationally and internationally distributed pacemakers. However, users of any pacemakers should not be alarmed by defect reports because their doctors are familiar with the recalls and are in a position to decide if there is a problem with any of the devices.

• **CADILLACS—Environmental Protection Agency (EPA)** has ordered General Motors Corp. (GM) to recall 135,000 1975 model Cadillacs because they violate federal air pollution standards.

The cars, with 500-cubic inch displacement engines, are equipped with a defective carburetor that emits excessive carbon monoxide.

EPA also asked GM to voluntarily recall 90,000 additional 1975 Cadillacs (these cars have the same engine but a different carburetor) that the agency is still investigating to determine whether they also violate air-pollution standards.

Consumer message (Continued from page 1)

• Legislation to help consumer groups represent themselves in agency and judicial proceedings where their participation may lead to more balanced decisions, including provisions to give the Federal courts more discretion to reimburse litigation costs for plaintiffs who win cases of public importance involving the government.

• Legislation which would give citizens greater opportunity to initiate suits against the Government in certain cases.

• Efforts to expand the opportunities for consumers to sue as a class to enforce their rights.

The President said Esther Peterson, his newly appointed Special Assistant for Consumer Affairs, will work closely with Congress and the **Justice Dept.** to develop suitable legislation dealing with these last 2 measures.

Tris banned

Consumer Product Safety Commission (CPSC) has banned the sale of children's clothing containing the flame-retardant Tris. The ban, which became effective April 8, also extends to any Tris-treated fabric that is uncut but is intended for sale to consumers or for use in children's wearing apparel. Tris-treated children's garments and uncut fabric which have been purchased—but not washed—should be returned to stores for full refunds.

The action came after a 2-year study conducted by the **National Cancer Institute (NCI)** showed that Tris causes cancer in test animals. In its own tests, CPSC found that Tris can be absorbed through children's skin or by "mouthing" Tris-treated clothing. CPSC notes that it is unaware of any instances where contact with Tris-treated clothing has led to cancer in humans.

CPSC offers these consumer guidelines:

- Not all children's sleepwear is Tris-treated, and children's apparel other than sleepwear is rarely Tris-treated.
- To determine if a particular children's garment has been treated with Tris, contact the manufacturer or the store where the item was bought.
- Washing a Tris-treated garment 3 or more times will eliminate most of the chemical from the fabric.
- Checking the garment label can help consumers determine if a child's sleepwear item has been treated with Tris.

CPSC has prepared the following fiber guide listing materials which require the addition of Tris or other chemicals to make them flame-resistant:

• These fibers used in children's sleepwear, sizes 0-14 *were treated with Tris*: acetate; acetate blends, triacetate, triacetate blends.

• These fibers are inherently flame-resistant and *do not require the addition of any chemical*: modacrylic (brand names Verel, SEF, Kanecaron), modacrylic blends; matrix (brand name Cordelan); matrix blends, vinyon (brand name Leavil); vinyon blends.

• These fibers characteristically *require the addition of a chemical other than Tris* to make them flame-resistant: 100% cotton; nylon.

CPSC also cautions that children's sleepwear made of 100% polyester fibers was often treated with Tris, but that there is no certain way to tell if 100% polyester is untreated, treated with Tris, or treated with some other flame-retardant chemical.

Supreme Court says

The **Supreme Court** has ruled that states may not supersede Federal food labeling provisions that allow certain food items to weigh less than the weight stated on their labels.

Differences in Federal and California requirements on package labeling resulted in the case which led to the decision. Federal law allows for weight reduction due to moisture loss during shipment of such packaged products as flour and bacon, while California law does not.

Court ruled that because of the Federal Government's authority to regulate interstate commerce, Federal law takes precedence over state law.

Consumers should be aware that packaged flour and bacon may weigh less than the amount printed on the label. However, that weight loss is in the form of non-nutritional moisture and not nutritional solids. Court noted, for instance, that each package of flour labeled at a specific weight had about the same nutritional value as all other packages of flour labeled with that same weight.

CN polls its readers

About 93% of the respondents to a recent **CONSUMER NEWS** readership survey said they felt the newsletter is "of some use" or "very useful," while 6.7% said **CONSUMER NEWS** is "of little use" and 0.6% said it is "not useful."

The survey, conducted in January, was sent to 1,900 of the approximately 19,000 **CONSUMER NEWS** subscribers. About 45%—842 recipients—responded. The survey was conducted in order to learn readership composition and attitudes and to elicit comments and suggestions which will assist the editors in improving the publication.

In answering other questions, 83% of the respondents said **CONSUMER REGISTER**—the supplement to **CONSUMER NEWS**—is either "of some use" or "very useful," while 13.6% said it is "of little use" and 3.3% indicated they felt **CONSUMER REGISTER** is "not useful."

About 44% of the respondents said they learned about **CONSUMER NEWS** through **Government Printing Office** (GPO) mailings and 18% said they learned about the newsletter from the *Consumer Information Catalog*. The remaining responses indicated that subscribers learned about **CONSUMER NEWS** from a variety of sources including newspapers, magazines, speeches, sample issues, friends, relatives, television, consumer organizations, classroom use, senior citizen groups, or from Congressmen or Senators.

A majority of respondents—58%—said they read **CONSUMER NEWS** because they were interested consumers, 12.9% said they read it for business reasons, and 11.8% said they read the newsletter for reasons relating to education. Small numbers of readers said they read **CONSUMER NEWS** because they were involved in government at all levels, the news media, the legal profession, and consumer or community groups or associations.

Males accounted for 64.2% of the respondents while 35.8% were females.

The largest number of respondents—24%—fall within the 50-59 age group. The next largest—20.9%—are in the 30-39 group, followed by 18.2% in the 40-49 group, 16% in the 20-29 group, 13% in the 60-69 group, 6.9% in the over 70 group, and 0.7% in the under 20 age group.

The greatest number of respondents—19.3%—come within the \$20,000 to \$24,000 annual income level and 19% are in the \$15,000 to \$20,000 level. About 16% are within the \$25,000 to \$34,000 level, 14.2% are in the over \$35,000 group, 7.8% are in the \$7,000 to \$10,000 level, and 6% of the respondents are in the under \$7,000 annual income level.

In describing place of residence, 44.6% of the respondents said they live

(Continued on page 4)

OCA comments

Below is a summary of recent comments on proposed regulations prepared by the **Office of Consumer Affairs** (OCA) which should be of particular interest to consumers. Copies of comments may be obtained free of charge from the Office of Consumer Affairs, Room 3310, HEW-North Bldg., Washington, DC 20201. Phone: 202-245-6933.

PUBLIC PARTICIPATION AT AGENCY PROCEEDINGS

In response to the **Civil Aeronautics Board** (CAB) proposal to reimburse individuals and groups participating in CAB proceedings, OCA commented that a means to provide reimbursement for the high cost of public participation has become necessary. The comment cautioned that an ill-conceived program would increase regulatory cost, exacerbate bureaucratic tangles, and delay the decision-making process.

OCA supported the concept of CAB reimbursement but viewed Congressional action on reimbursement across the Federal Government as preferable.

HEALTH CARE

Health, Education and Welfare Dept. (HEW) has proposed regulations specifying the duties and functions of Professional Standards Review Organizations (PSROs) and standards for the review of health care services provided under Medicare, Medicaid and other HEW health programs.

PSROs consist of health professionals, and their objective is to improve the utilization, cost and quality of health care provided by HEW health programs.

The OCA comment recognizes the desirability of these objectives and notes that a medical care data base will be created to help government improve quality and efficiency of medical care.

OCA points to a number of weaknesses in the proposal, however, and suggests the complex language be modified so that consumers understand it.

LEAD-CONTAINING PAINT

Consumer Product Safety Commission (CPSC) has proposed 5 alternatives, under the Consumer Product Safety Act (CPSA), which would curtail the use of lead-based paint for consumer use and for certain consumer products.

OCA's comment supported the alternative which would allow the lowest percentage of lead in paint (0.06%) possible under present technology and would regulate lead paint under CPSA rather than the Federal Hazardous Substances Act (FHSA) because greater public participation

(Continued page 4)

Comments

(Continued from page 3)

is possible under CPSA. Also, CPSA covers the use of lead-based paint for a broader range of consumer products than does FHSA, and applies to household uses and to articles available to children in schools or recreational facilities.

The OCA comment notes that while paint industry costs may be increased by the proposed regulations, costs to society will be reduced by a lowered incidence of lead poisoning. The dollar cost of lead poisoning in 1972 was estimated to be \$195 million.

Prices

Labor Dept. has announced that wholesale prices rose 1.1% in March, due largely to higher prices for coffee, food and industrial commodities such as glass, chemicals and plastics. Based on the wholesale price index (the index used to measure the price of large quantities of goods sold in the business community) business paid \$1,919 to purchase goods costing \$1,000 in 1967 and ended the worst 10 years of inflation since the decade beginning in 1941.

If the March rate of increase continues for a year, the wholesale price for a \$10 bag of groceries would rise to \$13 a year from now. Consumers would pay most or all of this increase.

Publications—changes

- CONSUMER NEWS, March 15, page 3: **Federal Energy Administration (FEA)** has informed us that copies of the fact sheets listed are out of print and no longer available.

- *The Price of Death* is no longer free. It may be ordered from the Consumer Information Center, Pueblo, CO 81009 for \$1.05.

Survey results

(Continued from page 3)

in cities, 40.8% said they live in suburbs, and 14.6% said they live in rural areas.

Almost 300 comments relating to CONSUMER NEWS were identified and classified into 34 separate categories. Many of the response sheets contained multiple comments and suggestions, and each item was treated separately. Approximately 150 comments directed toward CONSUMER REGISTER were similarly organized. Leading comments and suggestions included the following: Expand coverage; provide more information on products and services; provide more in-depth articles; write more about sources for help, information and complaint resolution for consumers; give more advance notice for meetings and filing comments; and include a consumer question and answer column.

In addition, numerous teachers and professors commented that CONSUMER NEWS is a resource used in consumer education and other classes, and one instructor noted that the publication is used as a source for consumer television spot ads.

Even though the CONSUMER NEWS readership survey has been concluded, the editors welcome comments and suggestions and requests for information from readers, and will incorporate useful suggestions wherever practicable. Send your suggestions to Editor, CONSUMER NEWS, Office of Consumer Affairs, Washington, DC 20201.

School lunches

April 21 is the third annual Food Day—a day dedicated to improving the quality of the American food supply and upgrading the quality of meals served at school lunches and breakfasts and in similar Federal programs.

The Center for Science in the Public Interest has published *School Lunch Action Guide*. The booklet, intended for parents, school administrators, food service personnel, teachers and students, gives step-by-step instructions on how to improve the quality of lunches most schools and Federal funded programs serve.

Copies of the booklet are available for 50¢ each from the Center for Science in the Public Interest, 1757 S Street, NW, Washington, DC 20009. Bulk rates are 20-99 copies, 35¢ each, 100 or more copies, 30¢ each.

CONSUMER NEWS is published the 1st and 15th of each month by the Office of Consumer Affairs, Health, Education and Welfare Dept., to report Federal Government programs for consumers. Use of funds for printing this publication through Sept. 30, 1979, approved by Office of Management and Budget. Authorization to reproduce any or all items is granted. Editorial address is CONSUMER NEWS, Office of Consumer Affairs, Washington, DC 20201; Marion Q. Ciacio, Managing Editor (202-245-6861). Sold by Consumer Information Center, Pueblo, CO 81009; subscription \$4 a year, payable to "Supt. of Documents." Send address change to Supt. of Documents, Government Printing Office, Washington, DC 20402.

☆ U.S. GOVERNMENT PRINTING OFFICE: 1976-210-990/43
DHEW PUBLICATION NO. (OS) 77-108

DEPARTMENT OF
HEALTH, EDUCATION AND WELFARE
OFFICE OF CONSUMER AFFAIRS
WASHINGTON, D.C. 20201

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

POSTAGE AND FEES PAID
U.S. DEPARTMENT OF H.E.W.
391

First Class



Consumer News: April 15, 1977

CNEW SERIA3005 1SSDUE010R
SERIALS DEPT
XEROX/UNIV MICROFILMS
300 N ZEEB RD
ANN ARBOR MI 48106